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9 UNITED STATES OF AMERICA

10 UNITED STATES DISTRICT COURT

11 FOR THE CENTRAL DISTRICT OF CALIFORNIA

12 Digital devices seized on June
8, 2017 from the residence and
13 premises located at 1901 North
Oxford Avenue, Los Angeles,
14 California and currently in the
custody of the United States
15 Postal Inspection Service

No. 17-MJ-1430

GOVERNMENT'S EX PARTE APPLICATION
FOR FIRST EXTENSION OF TIME WITHIN
WHICH TO RETAIN AND SEARCH DIGITAL
DEVICES; DECLARATION OF AUSA
MICHAEL G. FREEDMAN

(UNDER SEAL)

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18 The United States of America, by and through its counsel of
19 record, Assistant United States Attorney Michael G. Freedman, hereby
20 applies for an order extending by 120 days the time within which the
21 government may retain and search digital devices seized pursuant to a
22 federal search warrant.

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1 This application is based on the attached declaration of Michael
2 G. Freedman and the files and records of this case, including the
3 underlying search warrant and affidavit in support thereof.

4 Dated: October 12, 2017

Respectfully submitted,

5 SANDRA R. BROWN
6 Acting United States Attorney

7 LAWRENCE S. MIDDLETON
8 Assistant United States Attorney
Chief, Criminal Security Division

9 /s/

10 MICHAEL G. FREEDMAN
Assistant United States Attorney

11 Attorneys for Applicant
12 UNITED STATES OF AMERICA
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DECLARATION OF MICHAEL G. FREEDMAN

I, Michael G. Freedman, hereby declare and state:

1. I am an Assistant United States Attorney assigned to this investigation for United States Attorney's Office for the Central District of California.

2. This declaration is made in support of a request for an order permitting the government to retain and search, pursuant to the terms of the original warrant in this matter, for an additional 120 days, the following digital devices seized pursuant to the warrant described below (the "SUBJECT DIGITAL DEVICES"):

a. Red Apple iPhone bearing IMEI number 579C-E3085A;

b. Apple iPhone black bearing serial number 579CE30850;

c. Silver Apple iPhone bearing serial number 354451066260982;

d. Samsung cell phone bearing serial number R28HB002BAH;

e. Gold Huawei cell phone with an unknown serial number;

f. Black iPhone bearing model number A1784 and FCC ID number BCGE3092A;

g. Samsung Galaxy cell phone bearing IMEI number 356379085304556;

h. Silver and white iPhone bearing IC number 579C-E2642A and IME number 352030066383747;

i. Samsung cell phone bearing model number J320VPP and IMEI number 356922071389410;

j. Gold iPad mini bearing serial number F9FTK63PGHKL;

k. iPad 32GB bearing serial number V50399JLZ39 and model number A1219;

l. LG cell phone bearing serial number 702CYCV0095659;

- 1 m. LG Cell phone bearing serial number 608CYRN1952598;
- 2 n. Samsung smartphone bearing model number SM-G53OT and
- 3 serial number R28G81EGMTT;
- 4 o. White Samsung cell phone bearing serial number
- 5 RV8F80EBB5W;
- 6 p. Apple iPhone bearing serial number 579C-E2816A, IMEI
- 7 number 359300062142709, and model number A1549;
- 8 q. Black Kyocera cell phone bearing DEC number
- 9 256691560001258627;
- 10 r. Apple iPhone bearing serial number 579C-E2642B and
- 11 Model number A1533;
- 12 s. Black Verizon Motorola cell phone with unknown serial
- 13 number;
- 14 t. Blue Nexus cell phone bearing FCC ID number 1HDT56QD1;
- 15 u. Black Toshiba laptop computer bearing serial number
- 16 XC297011R;
- 17 v. Dell laptop computer bearing serial number 68Q0L72;
- 18 w. Dell laptop computer bearing serial number 7TM4L72;
- 19 x. MacBook Pro laptop computer with Apple sticker bearing
- 20 serial number C02L111GFGM8 and model number A1425;
- 21 y. Apple desktop computer bearing serial number
- 22 D25FN28VDH3T;
- 23 z. Apple Macbook Air computer bearing model A1304 and
- 24 serial number C02Q8H5GGFWM.

25 3. Postal Inspector James Keenan of the United States Postal
26 Inspection Service ("USPIS") informed me of the following facts, of
27 which he either has personal knowledge, or learned from the sources
28 detailed below.

1 4. On June 6, 2017, Postal Inspector James Keenan obtained a
2 federal search warrant issued by the Honorable Steve Kim, United
3 States Magistrate Judge, in case number 17-MJ-01430, authorizing the
4 search of 1901 N. Oxford Avenue, Los Angeles, California 90027 (the
5 "SUM HOME"). The SUBJECT DIGITAL DEVICES were seized by the Postal
6 Inspectors during the warrant execution on June 8, 2017, pursuant to
7 the conditions of the search and seizure warrant. The warrant, which
8 is incorporated herein by reference, authorized the seizure of the
9 SUBJECT DIGITAL DEVICES for a period of 120 days to allow the
10 government to search such devices for evidence, fruits, and
11 instrumentalities of violations of 18 U.S.C. §§ 1708 (mail theft and
12 possession of stolen mail); 1028 (identification document fraud);
13 1029 (access device fraud); 1028A (aggravated identity theft); 1344
14 (bank fraud); and 371 (conspiracy).

15 5. The SUBJECT DIGITAL DEVICES were seized on or about June
16 8, 2017 and shortly thereafter were sent to the USPIS Digital
17 Forensic Lab for further analysis.

18 6. This is the first request for an extension. The current
19 deadline by which the government must complete its review of the
20 SUBJECT DIGITAL DEVICES was October 6, 2017. The government has not
21 searched the SUBJECT DIGITAL DEVICES since October 6, 2017.

22 7. Based on information provided to me by agents assigned to
23 this matter, I understand that on or about August 22 and 23, 2017 the
24 USPIS Digital Forensic Laboratory in Anaheim, California received
25 some of the digital evidence in this case. The digital devices were
26 examined by Beau Stilger, Forensic Computer Analyst and previewed for
27 evidence relating to mail/identity theft. Based upon the previewed
28 information, some devices were submitted for further analysis and are

1 currently still in the custody of the Anaheim Digital Forensics Lab.
2 Other digital devices were identified as needing further examination
3 and are still pending another laboratory submission.

4 8. On or about August 23, 2017 other digital devices seized
5 pursuant to the search and seizure warrant issued in case number 17-
6 MJ-01430 were received by the USPIS Digital Forensic Laboratory in
7 Seattle, Washington by Raymond L. Cruz, Forensic Computer Analyst.

8 9. On or about September 28, 2017, reports of the laboratory
9 findings were produced for some of the SUBJECT DIGITAL DEVICES. The
10 laboratory findings were mailed on discs back to Inspector Keenan
11 within the days following the reports' production.

12 10. The examinations produced some results of possible
13 mail/identity theft related matter which still need to be reviewed
14 further by Postal Inspector James Keenan.

15 11. For the following reasons, the government requests an
16 additional 120 days to complete its review of the SUBJECT DIGITAL
17 DEVICES:

18 a. The forensic review of digital devices is time
19 consuming. Agents cannot simply turn on computers and review their
20 contents because merely turning on a computer and reviewing its
21 contents changes the data on the computer. Specialized computer
22 software is therefore needed to ensure that evidence remains in a
23 pristine and usable condition, and is not affected by the review
24 process. The review also must be conducted by agents who have
25 received specialized training to ensure that the review is done
26 thoroughly and in a forensically sound fashion. This process takes
27 substantial time.
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1 b. On June 6, 2017, Postal Inspectors requested and
2 received search and seizure warrants issued by the Honorable Steve
3 Kim, United States Magistrate Judge, in case numbers 17-MJ-01430, 17-
4 MJ-01431 and 17-MJ-01432, for three search locations, which were all
5 executed within a 48-hour period. Additionally, on June 7, 2017
6 Postal Inspectors applied for and received a search and seizure
7 warrant in case number 17-MJ-01448, which was executed that same
8 evening. During the course of the search warrant executions, Postal
9 Inspectors recovered approximately 60 digital devices which needed
10 submission to the USPIS digital forensic laboratories. This volume
11 of data took a large amount of time for the digital forensic labs to
12 process and Inspector Keenan will need to review the material as
13 provided by the Digital Forensic Laboratory item by item which is
14 time consuming with the amount of data potentially contained on each
15 device.

16 c. The USPIS forensic laboratory services requested a
17 delay in submission of the DIGITAL DEVICES following the search and
18 seizure warrant execution given the number of devices recovered in
19 the SUM HOME and the laboratory's volume of open casework at the
20 time. The USPIS forensic laboratory services began previewing the
21 digital devices with Inspector Keenan on August 22 and 23, after
22 flying in two additional Forensic Computer Analysts to assist with
23 the previewing in Anaheim, California.

24 d. The laboratory report for the SUBJECT DIGITAL DEVICES
25 described in paragraphs 2a through 2t was not completed until
26 September 28, 2017 and Inspector Keenan received the findings in the
27 days that followed. Given the volume of information found on the
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1 devices, Inspector Keenan has not had an opportunity to fully review
2 the laboratory findings provided.

3 e. The SUBJECT DIGITAL DEVICES described in paragraphs 2u
4 through 2x currently remain in the custody of the USPIS Forensic
5 Laboratory Services in Anaheim, California and are pending further
6 review. At this time the search of these devices has been stopped
7 pending approval of a search warrant extension.

8 f. The SUBJECT DIGITAL DEVICES described in paragraphs 2y
9 through 2z still need to be re-submitted to the USPIS Forensic
10 Laboratory Services in Anaheim, California for further analysis as
11 per the recommendation of lab file report #9-523-014109(3) dated
12 August 28, 2017.

13 g. The Los Angeles Mail Theft and Violent Crimes team
14 only has six Postal Inspectors assigned. The team covers a large
15 territory, which extends from downtown Los Angeles to Malibu,
16 California. Postal Inspectors on the Los Angeles Mail Theft team
17 spend many hours each week working on various investigations of their
18 own as well as assisting fellow Inspectors with their own case
19 investigations. Searching digital devices can be a lengthy process.
20 The USPIS Digital Evidence Unit downloads all cell phone calls and
21 text message conversations which can sometimes take days for a Postal
22 Inspector to examine closely.

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1 Given the size of the Postal Inspector territory and lack of other
2 available resources in the office to assist in the review of the
3 laboratory findings, examining the data sooner for this matter was
4 not feasible.

5 I declare under penalty of perjury under the laws of the United
6 States of America that the foregoing is true and correct.

7 DATED: October 12, 2017

/s/

8 MICHAEL G. FREEDMAN
9 Assistant United States Attorney
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